

**ORIGINAL**

McCORRISTON MILLER MUKAI MacKINNON LLP

EFILED - 3/6/2006  
 UNITED STATES DISTRICT COURT  
 DISTRICT OF HAWAII

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MAR 6 2006 (ay)

at 3 o'clock and 54 min. PM  
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**LODGED**

MAR 01 2006  
 U.S. DISTRICT COURT  
 DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

HAWAII CARPENTERS TRUST FUND, ( <i>Health &amp; Welfare Fund</i> by its trustees Albert Hamamoto, Audrey Hidano, Henry Iida, Glen Kaneshige, Thomas Toma, Daniel Tom, Elmer Cabico, Paul C.K. Chang, Ronald Taketa, Melvin Fujii, Clifford Resacio, Russell Young and Keith Hirota; <i>Apprenticeship &amp; Training Fund</i> by its trustees James Ramirez, Russell Ogata, Conrad Murashige, Robert Donle, Ron Taketa, Dante Agra, Sidney Shimokawa, Lance Yoshimura, Dean Takahashi and Russell Hiranaka; <i>Vacation &amp; Holiday Fund</i> by its trustees James Watanabe, James Ramirez, Gerard Sakamoto, Paul Sasaki, Jiggs Tamashiro, Tim Kawana, Jon Tesoro, Mel Fujii, Curtis Kern, Patrick Borge, Sr. and Lloyd )	CIVIL NO. 04-00667 SOM BMK
	<b>EX PARTE MOTION FOR ISSUANCE OF GARNISHEE SUMMONS AFTER JUDGMENT; DECLARATION OF DAVID J. MINKIN; EXHIBIT 1; ORDER; GARNISHEE SUMMONS; EXHIBIT A</b>
	<b>Judgment Debtor:</b> H N J 2, INC., dba ELIMA ENGINEERING
	<b>Garnishees:</b> Bank of Hawaii First Hawaiian Bank American Savings Bank Central Pacific Bank Hawaii National Bancshares, Inc., dba Hawaii National Bank

4-21-06  
 2 pm  
 BMK

Kupau, Jr.; *Market Recovery Program* by its trustees Thalia Choy, Edmund Aczon, Steven Hidano, Claude Matsumoto, Gerard Sakamoto, Ronald Taketa, Mark Kapahu, Albert Belliveau, Glenn Young, Gerard Sakamoto, Jason Orita and Randy Perez; *Financial Security Fund* by its trustees Gordon L. Scruton, Lance Wilhelm, Conrad Murashige, Kenneth Sakurai, Bruce Soileau, Ralph Yackley, Loyce C. Morris, Ronald Taketa, James Watanabe, Brian Hedge, Kenneth Spence, Rockwell Rogers, Jr., Jack Reeves and Kealii Flood; *Retiree Medical Fund* by its trustees Henry Iida, Albert Hamamoto, Audrey Hidano, Glen Kaneshige, Paul C.K. Chang, Elmer Cabico, Ronald Taketa, Tim Kawana, Thomas Toma, Daniel Tom, Russell Young, Clifford Respicio, Keith Hirota and Miles Hokama; *401-K Fund* by its trustees Gordon Scruton, Conrad Murashige, Kenneth Sakurai, Lance Wilhelm, Bruce Soileau, Loyce C. Morris, Ronald Taketa, Ralph Yackley, James Watanabe, Brian Hedge, Kenneth Spence, Rockwell Rogers, Jr. and Kealii B. Flood)

Plaintiffs,

vs.

H N J 2, INC., dba ELIMA )  
ENGINEERING, a Hawaii )  
corporation; JOHN DOES 1-100; )  
JANE DOES 1-100; DOE )  
CORPORATIONS 1-100; DOE )  
PARTNERSHIPS 1-100; DOE )  
ENTITIES 1-100; DOE )  
GOVERNMENTAL UNITS 1-100, )  
 )  
Defendants. )  
 )  
and )  
 )  
BANK OF HAWAII, a Hawaii )  
corporation, FIRST HAWAIIAN )  
BANK, a Hawaii corporation, )  
AMERICAN SAVINGS BANK, a )  
Hawaii corporation, CENTRAL )  
PACIFIC BANK, a Hawaii )  
corporation, and HAWAII )  
NATIONAL BANCSHARES, INC., )  
dba HAWAII NATIONAL BANK, a )  
Hawaii corporation, )  
 )  
Garnishees. )  
 )

EX PARTE MOTION FOR ISSUANCE OF  
GARNISHEE SUMMONS AFTER JUDGMENT

Plaintiffs move this Honorable Court, *ex parte*, to issue a Garnishee Summons to BANK OF HAWAII, FIRST HAWAIIAN BANK, AMERICAN SAVINGS BANK, CENTRAL PACIFIC BANK, and HAWAII NATIONAL BANCSHARES, INC., dba HAWAII NATIONAL BANK, ("Garnishees"), summoning Garnishees to disclose (1) any and all

goods and effects held, and, if so, their nature, amount and value; (2) any amounts coming due at any time in the future, and, if so, the nature and amount; (3) any amounts Garnishees were in receipt of for any salary, stipend, commissions, wages, annuity, or net income under a trust held by Garnishees, on account of Defendant H N J 2, INC., dba ELIMA ENGINEERING, a Hawaii corporation, and ordering the Garnishees to hold and secure said goods and effects, and/or amounts as provided in the Garnishee Summons attached hereto.

This *ex parte* motion is brought pursuant to Rules 7(b) and 69, Federal Rules of Civil Procedure, Chapter 652 of the Hawaii Revised Statutes, Declaration of Counsel and Exhibit attached hereto and the records and files herein.

DATED: Honolulu, Hawaii, March 1, 2006.



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DAVID J. MINKIN  
Attorney for Plaintiffs  
TRUSTEES OF THE HAWAII  
CARPENTERS TRUST FUNDS